

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RANATA FRANK, etc., et al.,)	
)	
Plaintiff,)	Case No. 4:20-cv-597
)	
v.)	
)	
CITY OF ST. LOUIS,)	
)	
Defendant.)	

MEMORANDUM IN OPPOSITION TO PLAINTIFF'S MOTION TO
CONTINUE AND EXTEND

Plaintiff has moved to continue the preliminary injunction hearing and extend the time for response to the motion to dismiss. ECF 30.

Defendant respectfully urges the Court to reject the delay in responding to the motion to dismiss. Dr. Echols's mistake in his testimony does not alter the fact that he is a qualified expert in public health, nor does it alter the reality that plaintiff's claim is now moot and that no viable constitutional claim was pleaded in the first place. This action should not proceed further. Nobody has a constitutional right to camp out in public parks. *Clark v. Community for Creative Non-Violence*, 468 U.S. 1248 (1984).

Defendant suggests that briefing on the motion to dismiss should be completed as currently scheduled, but in no event later than May 18 so that the Court can consider whether a preliminary injunction hearing is even warranted.

Respectfully submitted,

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